

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ADJUSTACAM LLC

v.

AMAZON.COM, INC. ET AL.

NO. 6:10-cv-329-LED

JURY

**ORDER**

CAME BEFORE THE COURT the Motions styled:

- (1) MOTION FOR PARTIAL SUMMARY JUDGMENT THAT ADJUSTACAM IS NOT ENTITLED TO PRE-SUIT DAMAGES PURSUANT TO 35 U.S.C. § 287(a) (Dkt No. 473) filed by Best Buy Co., Inc.; Best Buy Stores, LP and BestBuy.com, LLC; Baltic Latvian Universal Electronics, LLC d/b/a/ Blue Microphones, LLC and Blue Microphones, LLC; CompUSA.com, Inc.; Digital Innovations, LLC; Fry's Electronics Inc.; Gear Head, LLC; Hewlett-Packard Company; J&R Electronics, Inc., d/b/a J&R; Kohl's Corporation d/b/a Kohl's and Kohl's Illinois, Inc.; Micro Electronics, Inc., d/b/a Micro Center; Office Depot, Inc.; Overstock.com, Inc.; Systemax, Inc., d/b/a CompUSA; TigerDirect, Inc.; Sakar International, Inc.; and Target Corporation;
- (2) DEFENDANT DELL INC.'S NOTICE OF JOINDER TO MOTION FOR PARTIAL SUMMARY JUDGMENT THAT ADJUSTACAM IS NOT ENTITLED TO PRE-SUIT DAMAGES PURSUANT TO 35 U.S.C. § 287(a) (Dkt No. 476); and
- (3) DEFENDANTS NEWEGG INC., NEWEGG.COM INC., AND ROSEWILL INC.'S NOTICE OF JOINDER IN DEFENDANTS' MOTION FOR PARTIAL

SUMMARY JUDGMENT THAT ADJUSTACAM IS NOT ENTITLED TO PRE-SUIT DAMAGES PURSUANT TO 35 U.S.C. 287(a) (Dkt No. 483) (the foregoing Movants are collectively referred to as “Movants”).

Upon consideration of the Motions and the lack of opposition in Plaintiff’s Response, the Motions are hereby GRANTED. Accordingly, partial summary judgment is hereby ORDERED that Plaintiff is not entitled to pre-suit damages from the Movants pursuant to 35 U.S.C. § 287(a). It is SO ORDERED.